

REMARKS

The specification has been amended to correct typographical errors and to insert application numbers. In addition the definition of Xaa₈ in generic formula I has been amended to include "Arg, Lys, ornithine, homoarginine, N-methyl-Lys, N,N-dimethyl-Lys, N,N,N-trimethyl-Lys, any unnatural basic amino acid." Support for this amendment can be found in the recitation of SEQ ID NO:5, which is stated to fall within the scope of generic formula I at page 7, lines 5-32, where it is shown that the Xaa₈ of generic formula I is an "Arg" in SEQ ID NO:5 and where it states that "the Arg residues may be substituted by Lys, ornithine, homoarginine, N-methyl-Lys, N,N-dimethyl-Lys, N,N,N-trimethyl-Lys, any unnatural basic amino acid." It is submitted that these amendments do not constitute new matter, and their entry is requested.

Claim 1 has been amended to correct a typographical error, to include "Arg, Lys, ornithine, homoarginine, N-methyl-Lys, N,N-dimethyl-Lys, N,N,N-trimethyl-Lys, any unnatural basic amino acid," for the definition of Xaa₈ and to delete "Ala" from the definition for Xaa₁₀. Support for the inclusion of "Arg, Lys, ornithine, homoarginine, N-methyl-Lys, N,N-dimethyl-Lys, N,N,N-trimethyl-Lys, any unnatural basic amino acid," in Xaa₈ can be found in the recitation of SEQ ID NO:5, which is stated to fall within the scope of generic formula I at page 7, lines 5-32, where it is shown that the Xaa₈ of generic formula I is an "Arg" in SEQ ID NO:5 and where it states that "the Arg residues may be substituted by Lys, ornithine, homoarginine, N-methyl-Lys, N,N-dimethyl-Lys, N,N,N-trimethyl-Lys, any unnatural basic amino acid." Claim 2 has been amended to delete the non-elected peptide species and to clarify the language of the claim concerning the term "derivative" as a derivative of the specified peptide. Claims 3-7 and 10-38 have been canceled. Claim 39 has been amended to set forth the sequence of the elected propeptide. New claims 40-41 have been added to further claim the derivative. Support for these claims can be found at page 7, lines 5-32. It is submitted that these amendments do not constitute new matter, and their entry is requested.

A substitute Sequence Listing has been provided in view of the amendment to generic formula I. This Sequence Listing is identical to the Sequence Listing submitted on 5 April 2001 except that Xaa at residue 10 has been amended to include "Arg, Lys, ornithine, homoarginine, N-

methyl-Lys, N,N-dimethyl-Lys, N,N,N-trimethyl-Lys, any unnatural basic amino acid,” as noted above with respect to the amendments to the specification and claim 1. Since this amendment is fully supported by the specification, the substitute Sequence Listing does not present any new matter. Entry of this substitute Sequence Listing is requested. A computer readable form and an appropriate statement accompanying this amendment.

The Examiner objected to the specification for informalities. It is submitted that the amendment of the specification obviates this objection.

The Examiner objected to claims 2 and 39 for informalities. It is submitted that the amendment of these claims obviates this objection.


The Examiner rejected claims 2 and 9 under 35 U.S.C. §112, second paragraph for being indefinite. It is submitted that the amendment of claim 2 obviates this rejection, and its withdrawal is requested.

The Examiner rejected claims 1 and 8 under 35 U.S.C. §102(b) as being anticipated by Olivera et al. (US 5,514,774). It is submitted that the amendment of claim 1, specifically the deletion of “Ala” for Xaa₁₀ obviates this rejection. Withdrawal of this rejection is requested.

The Examiner rejected claims 1 and 8 for obviousness-type double patenting over claim 1 of US 5,514,774. It is submitted that the amendment of claim 1, specifically the deletion of “Ala” for Xaa₁₀ obviates this rejection. Withdrawal of this rejection is requested.

In view of the above remarks and amendments to the claims, it is submitted that all of the presently pending claims satisfy the provisions of the patent statutes. Reconsideration of this

application and early notice of allowance are requested. The Examiner is invited to telephone the undersigned to expedite allowance of this application.

RESPECTFULLY SUBMITTED,					
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